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Dated: May 1, 2006

Signature: Judy Cale

(Judy Cale)

Attorney's Docket No.: 564462001824  
D1370-14US  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Jay M. SHORT, et al.

Application No.: 10/601,319

Confirmation No.: 6967

Filed: June 20, 2003

Art Unit: 1652

For: RECOMBINANT PHYTASES AND  
METHODS OF MAKING AND USING THEM

Examiner: Delia M. Ramirez, Ph.D.

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT  
AND PRELIMINARY AMENDMENT

Dear Sir:

Responsive to the Election/Restriction Requirement Office Action mailed November 30, 2005 (the OA), Applicants respectfully request entry of the amendment and consideration of the remarks set forth herein. A response to the Office Action was initially due December 30, 2005. Applicants submit herewith a Petition for Extension of Time to extend the time to reply to this Office Action for four months to May 01, 2006 (April 30, 2006, was a Sunday). Accordingly, this Response is timely filed.

**Amendment to the claims** are reflected in the listing of claims which begin on page 2 of this paper.

**Remarks** begin on page 7 of this paper.

The following documents are also enclosed herewith:

- Transmittal letter
- Fee Transmittal (plus duplicate copy)
- Petition for Extension of Time
- Fax Cover Sheet

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